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COMMISSION ON HUMAN RIGHTS

Fifty-second session

SUMMARY RECORD OF THE 36th MEETING

Held at the Palais des Nations, Geneva,
on Thursday, 11 April 1996, at 6 p.m.

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| Chairman: | Mr. MBA ALLO (Vice-Chairman) | (Gabon) |
| later: | Mr. VERGNE SABOIA (Chairman) | (Brazil) |

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In the absence of Mr. Vergne Saboia (Brazil), Mr. Mba Allo (Gabon), Vice-Chairman, took the Chair.

The meeting was called to order at 6 p.m.

FURTHER PROMOTION AND ENCOURAGEMENT OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS, INCLUDING THE QUESTION OF THE PROGRAMME AND METHODS OF WORK OF THE COMMISSION:

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(d) HUMAN RIGHTS, MASS EXODUSES AND DISPLACED PERSONS

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1. Mr. CUNNIAH (International Confederation of Free Trade Unions) said that increasing economic globalization and deregulation of the labour market were leading to a feminization of poverty, insecurity and discrimination. Pushed into low-paid, precarious employment in the informal sector, the export processing zones and domestic service, women were exposed to deplorable working conditions and anti-union repression. The export processing zones were characterized by a climate of repression that sometimes involved physical punishments. Sexual harassment was growing steadily, yet women knew that to complain often led to dismissal. Trade unions were unwelcome or simply banned.

2. Two cases involving Filipina maids, in Singapore and the United Arab Emirates, had raised international awareness of the widespread ill-treatment of such workers. Those who were illegal migrants were at even greater risk: unable to appear in public, they were at the mercy of employers, recruiting agents and traffickers. Furthermore, Governments that relied heavily on overseas remittances to contribute to national income refrained from protecting their nationals abroad from exploitation and ill-treatment. The Special Rapporteur should investigate such situations, and Governments of receiving countries should adopt clear-cut policies on labour immigration guided by the relevant United Nations and ILO conventions.

3. Mr. KAUL (Indian Council of Education) said that persons seeking refuge in their own country had the same protection requirements as those who fell within the traditional category of refugees; yet no international organization had a mandate to deal with such persons, who had traditionally been deemed to be the responsibility of the State. The report of the Representative of the Secretary-General (E/CN.4/1996/52 and Add.1 and 2) was therefore significant for its recognition that internally displaced persons should be entitled to refugee status. As pointed out in the report (Add.2, para. 412), such persons lacked protection where violations were perpetrated by non-State actors. Unfortunately, the number of displaced persons was increasing. In India, more than 450,000 Kashmiris had been rendered homeless by terrorism and were living as refugees in their own country. His organization therefore urged the Commission to take note of the proposal to restate the general principles of protection in more specific detail; to eliminate the gaps in future international instruments so that the welfare of internally displaced persons could be assured; and to take serious note of Sub-Commission resolution 1994/24, which affirmed the right of refugees and displaced persons to return, in safety and dignity, to their place of origin or choice.

4. Ms. TOM (Caritas Internationalis) said that a joint statement by her organization, the Friends World Committee for Consultation and the Commission of the Churches on International Affairs of the World Council of Churches was contained in document E/CN.4/1996/NGO/20. Those organizations welcomed the completion of the "Compilation and analysis of legal norms" contained in document E/CN.4/1996/52/Add.2, and commended the Government of Peru for facilitating the visit of the Representative of the Secretary-General in August 1995. With regard to institutional arrangements, she noted the constraints on the collaborative approach referred to in paragraph 83 of document E/CN.4/1996/52.

5. Although there was now a greater awareness of the problem of internally displaced persons, much more needed to be done. Accordingly, she urged the Commission to recommend the production of a compact and usable body of principles based on the findings of the Compilation; to consider new international standards to fill legal gaps; to prohibit the use of anti-personnel mines; to request the High Commissioner for Human Rights to ensure appropriate follow-up to any visits made by the Representative; and to develop a comprehensive strategy providing adequate means of protection and seeking durable solutions.

6. Ms. TANAKA (International Movement against all Forms of Discrimination and Racism) noting that, in her report on military sexual slavery in wartime (E/CN.4/1996/53/Add.1) the Special Rapporteur refuted the Japanese Government's argument that it was under no obligation to compensate the victims, drew the Commission's attention to a signature collection campaign in Japan calling on the Government to accept the Special Rapporteur's recommendations.

7. Eradication of the cultural and structural causes of any form of sexual slavery should be not only the moral concern but also the legal responsibility of the international community. For example, as Japanese private enterprises were at present organizing sexual tourism to neighbouring countries and

importing sexual slaves from Asian countries for the sex industry, the United Nations must declare all forms of sexual slavery a crime against humanity and ensure that the victims were compensated.

8. Mr. MENDEZ (Commission for the Defense of Human Rights in Central America) said that the economic embargo imposed on Cuba violated international law and the human rights of the Cuban people. In Guatemala, the work of the Office of the Human Rights Procurator continued to be impeded by internal armed conflict, political intolerance, corruption and impunity, which persisted under the new Presidency. In Honduras, the Office of the National Commissioner for the Protection of Human Rights had recently severed its links with the Executive and gained the confidence of the Honduran people. That new-found independence had not, however, been accompanied by increased State support for the institution. In El Salvador, the Office of the National Counsel for the Defence of Human Rights had gained the confidence of non-governmental organizations (NGOs), but there nad been widespread complaints of inactivity on the part of its provincial delegations. In Costa Rica, the ombudsman continued to play an independent and impartial role, with national and international economic support. At the regional level, his organization welcomed the establishment of the Central American Council of Human Rights Procurators and of its Consultative Committee. The procurators' offices of the region must work closely with NGOs to solve problems, the international community must continue to support their independence, and there must be better coordination between those offices and society.

9. Mr. AAJAKIA (Asian Buddhists Conference for Peace) said that, since June 1992, the Pakistan army had been conducting a full-scale operation against the Mohajir Nation of Sindh and its representative political party, the Mohajir Quami Movement, which was viewed as a threat by vested political interests. For nearly four years, the population of Karachi and the other cities of Sindh had lived in a state of siege. Statements by Pakistan condemning human rights violations in other parts of the world rang hollow when massive violations of human rights were taking place in its own largest city.

10. The basic purpose of the Pakistan Ministry of Human Rights was to project a specious image of Pakistan as a moderate, liberal Islamic democracy committed to protecting human rights. Yet 650 blasphemy cases were pending in Pakistan's courts, some of them under a section of the blasphemy law that carried an automatic death sentence, and in 1995, 130 people had been sentenced to death. International support might be decisive in restoring the social, economic and political freedoms of the Mohajir Nation.

11. Ms. PALENCIA (Latin American Federation of Associations of Relatives of Disappeared Detainees) said that thousands of families in Latin America had been forced by political violence to flee their homes. Referring specifically to the plight of such displaced persons in Colombia, Guatemala, Mexico and Peru, he noted that the worst affected were women and children. No effective policies existed to assist the victims, still less to prevent future violations of their rights and secure their return. Indeed the many recommendations of the thematic rapporteurs had been repeatedly disregarded in Colombia, and any further provision of advisory services to that country would therefore be a waste of resources.

12. It was essential that the mandates of the Independent Expert on Guatemala and of the United Nations Human Rights Verification Mission in Guatemala (MINUGUA) should be renewed and strengthened. Moreover, a special rapporteur should be appointed to study the situation in Colombia and a resolution should call for a public supervisory mechanism, rather than merely for the opening of an Office of the High Commissioner for Human Rights, so as to facilitate the process of democratization in that country.

13. Ms. BAGOZZI (World Organization against Torture) said that certain forms of violence were female-specific. They included war-related sexual violence, exemplified by the mass rapes perpetrated in the former Yugoslavia; violence permitted by law as a punishment for women failing to follow social or customary rules, exemplified by laws recently adopted in the Islamic Republic of Iran; and violence connected with birth control policies. In Tibet, for instance, the Chinese authorities practised enforced abortion and sterilization.

14. Many forms of violence that were not gender-specific also affected women more than men in that women were sexually harassed or raped during interrogation by police or State agents. Pregnant female detainees were particularly vulnerable. Her organization therefore urged that more attention should be devoted to women by the Committee against Torture and the Special Rapporteur on the question of torture; that the Special Rapporteurs on torture and on violence against women should collaborate on a continuing basis; that the Committee against Torture should organize a special day devoted to female-specific forms of torture; and that the mandate of the Special Rapporteur on violence against women should be renewed on its expiry in 1997.

15. Mr. CASTRO (World Federation of Democratic Youth) pointed out that while advisory services were particularly important in countries in transition after armed conflict or disturbances, they would achieve nothing unless the Government in question really intended to improve its human rights record and United Nations resolutions were implemented. Technical cooperation was a complement to, not a substitute for, supervision and investigation.

16. Colombia was a case in point, for despite the efforts made by United Nations human rights experts, the situation had not improved, United Nations recommendations had been flouted, and the judiciary's action was undermined by the Government's lack of will to end the chronic violation of human rights; the result was impunity.

17. Noting that a mechanism to supervise the implementation of United Nations resolutions in Colombia had been recommended, he said it was inconceivable that an uncooperative Government which had no intention of respecting recommendations should continue to receive assistance from the international community. The Commission on Human Rights should appoint a Special Rapporteur on Colombia forthwith.

18. Ms. SCHULER (Institute for Women, Law and Development) welcomed the Special Rapporteur's recommendations designed to strengthen protection against domestic violence, which could be tantamount to torture. The many strategies that were required to deal with domestic violence should address the needs of

the victim and tackle underlying social values. Legal reform was also necessary, existing laws should be applied more rigorously and new gender-specific, comprehensive, domestic violence legislation enacted.

19. Most of existing legislation on the subject referred to family violence in general, whereas specific prohibitions were needed, as were more extensive remedies. She hoped that Governments would use the Institute's report as a guide when drafting the relevant legislation, which had to be accompanied by adequate, long-term, financial and structural support.

20. Mr. TOTSUKA (International Fellowship of Reconciliation) said Japan's claim that the issue of reparations to "comfort women" had been finally and completely settled in a number of international agreements was belied by the fact that neither the Democratic People's Republic of Korea nor China were parties to the San Francisco Peace Treaty, and that the question of "comfort women" was not covered by treaties between Japan and Taiwan or Japan and the Republic of Korea. Yet the obligation to punish those responsible for illegal forced labour still existed under ILO's Forced Labour Convention, and a report by the ILO Committee of Experts had recognized that "comfort women" had been subjected to sexual slavery in violation of that Convention.

21. His organization supported the views expressed by the Special Rapporteur on violence against women in her report (E/CN.4/1996/53/Add.1), urged Japan to comply with her recommendations swiftly and requested her to continue her work on military sexual slavery in Japan.

22. Mr. FRANCO (United Nations Mission for the Verification of Human Rights and Compliance with the Commitments of the Comprehensive Agreement on Human Rights in Guatemala - MINUGUA) said that the United Nations had played an active role in achieving a peace settlement in Guatemala and in supervising its implementation. MINUGUA, which had been set up in 1994, had had its mandate extended up to the end of 1996. There was a growing realization that peace and human rights, including those of indigenous peoples, were closely linked in Central America, and that international supervision would have a beneficial impact on both.

23. Previous similar missions had shown that it was important to strengthen institutions from the outset. MINUGUA had therefore placed great emphasis on that aspect while pursuing a strategy of decentralizing human rights education to reflect the country's ethnic diversity.

24. MINUGUA's rapid deployment had meant that extensive inspection had commenced immediately. The mission had submitted four reports in which it had stressed the issue of impunity. He noted that most human rights violations concerned infringement of the right to life, and that the Unidad Revolucionaria Nacional Guatemalteca (URNG) had been responsible for the vast majority of violations of the agreement on human rights and armed confrontation.

25. The mission had concluded that most of the violations which had gone unpunished had been committed by persons connected with or protected by the State, although it did not suggest that the Government deliberately set out to infringe human rights. The Government did not, however, have a policy to

combat impunity, and the will to investigate and punish human rights violations involving the military, the police or illegal groups enjoying their support was held in check by a nexus of interests.

26. Although both the Government and URNG commanders were guilty of infringing human rights, significant progress had been made and there were grounds for hoping that the situation would continue to improve. Peace negotiations had acquired fresh vitality, a cease-fire was in force, and members of the police involved in human rights offences were being dismissed.

27. On the other hand, at the end of March, lynching had occurred. It had ostensibly been carried out by a population frustrated by institutional inefficiency, but could have been an attempt to discredit the authorities and create instability.

28. On the whole, however, MINUGUA had helped to strengthen human rights. Close contacts like those it had with a number of United Nations human rights organs should be increased, as the optimum effectiveness of United Nations action in the sphere of human rights depended on cooperation between on-the-spot missions and specific human rights bodies.

29. Mr. Verqne Saboia (Brazil) took the Chair.

30. Ms. EBTEKAR (Network of Women's Non-governmental Organizations in Iran) said that the Network had been set up during preparations for the fourth World Conference on Women in 1995 and comprised 43 NGOs engaged in various social, political, economic and educational activities. Six member organizations were run by religious minorities.

31. Its main priority was the empowerment of women and enhancement of their status in Iranian society by ensuring their participation in the decision-making process and their enjoyment of equal access to education, health and employment. There was no conflict between divine religious teachings and the empowerment of women. Iranian women were thus playing a growing and increasingly accepted role in public life.

32. Education and public awareness were needed to solve the question of violence against women in society and within the family. While irresponsible global mass media directly and indirectly encouraged the exploitation of women, the breakdown of the family was another factor contributing to the problem, as the family could provide positive gender education and promote responsible partnership.

33. Mr. KARMIRSHALIAN (Observer for Armenia), speaking on behalf of Armenia's Centre for Democracy and Human Rights, said that a society's civilized development was chiefly measured by its respect for human rights which could not, however, be guaranteed by even the best of laws in the absence of a mechanism for their implementation.

34. Several international organizations had advocated the establishment of institutions to protect human rights in eastern Europe and the Commonwealth of Independent States (CIS). That was one of the functions fulfilled in Armenia by his Centre, which had been set up in October 1995.

35. While Armenia had ratified most international human rights conventions after its independence and human rights had been incorporated in its laws and Constitution, their rigorous observance in the country was hampered by a number of obstacles and mainly by a lack of knowledge or experience among the general public and officials. One of the Centre's main duties was to fill that gap.

36. The Centre was the first human rights institution to be set up jointly by international organizations and a Government on the territory of the CIS. It was an independent body governed by the "Paris principles", and its activities were regulated by a combination of international instruments and national legal provisions. The Centre's library, which would contain a comprehensive collection of human rights documentation and the Centre had already started to translate basic texts into Armenian. Its representatives would be members of a commission whose aim was to bring Armenian law into line with international standards.

37. The Centre had established contacts with many international and national organizations and it greatly appreciated their assistance in the holding of seminars and round tables, some of which he mentioned in detail. Twelve seminars were to be held in 1996.

38. Mr. TORELLA di ROMAGNANO (Italy), speaking on behalf of the European Union, the central and eastern European countries associated with the Union and the associated countries Cyprus and Malta, said that the provision of technical assistance and advisory services through the Centre for Human Rights was often the most important operational support that the High Commissioner for Human Rights could offer as a follow-up to his dialogue with Governments. The European Union encouraged him to organize more regular information and fund-raising meetings with donors to enhance awareness of and financial support for advisory services and to ensure that those services drew on the reports and recommendations of human rights treaty bodies.

39. Technical assistance was an essential component of policies designed to prevent the massive human rights violations that were a major cause of internal conflicts. Rwanda was a sad example of the international community's failure to provide the type of technical assistance in human rights that might have prevented a major tragedy. Hence the importance of preventive action in Burundi, through support for the technical assistance programme, taking into account the recommendations of the Special Rapporteur. The European Union urged the Government of Burundi to cooperate in implementing the programme.

40. The General Framework Agreement for Peace in Bosnia and Herzegovina provided the basis for one of the most important operations of post-conflict assistance in rebuilding democratic institutions. The European Union fully supported the High Commissioner's Programme of Operations for Bosnia and Herzegovina, which sought to develop effective institutions for the protection of human rights. It also appreciated the practical action being taken by the High Commissioner and the Centre for Human Rights through the Human Rights Task Force of the High Representative, Mr. Bildt.

41. The European Union stressed the importance of including a human rights dimension in United Nations peace-keeping and humanitarian operations and urged the Secretary-General and Member States to make use of the know-how available in the Centre for Human Rights. It pointed out, however, that

programmes of technical assistance in no way lessened Governments' accountability for human rights violations and could never replace United Nations monitoring and investigating activities.

42. The allocation of personnel and financial resources to preventive action in the field of human rights often helped to avoid extremely costly humanitarian operations, and the funding of human rights activities could be viewed as a prerequisite for sustainable development.

43. As the Centre for Human Rights was unable to meet the growing demand for technical assistance, the European Union felt that funds for the programme should be substantially increased and that a larger share should come from the regular budget instead of from the Voluntary Fund for Technical Cooperation. Despite a substantial increase in contributions to the Fund in 1995, an additional US $4 million was needed to finance the 22 project proposals submitted to the Board of Trustees. The European Union therefore urged all Member States to consider making voluntary contributions. It appreciated the more transparent management of the Fund and recommended that the practice of briefing by the Board and the competent unit of the Centre for Human Rights should be continued. It noted with satisfaction that a new Coordinator for the Fund had been appointed and that basic United Nations technical cooperation procedures related to programme identification, implementation and evaluation were being followed. If technical cooperation activities carried out by other United Nations bodies bore some relationship to human rights, the European Union encouraged the High Commissioner to make available his expertise in that context.

44. Mr. TCHUMAREV (Russian Federation), speaking on agenda item 17, said that the impressive figures in document E/CN.4/1996/90 for projects relating to advisory services in the field of human rights reflected the resolutions of the World Conference on Human Rights, the greater effectiveness of technical cooperation programmes and the willingness of beneficiary States to improve their human rights situation. The High Commissioner for Human Rights could count on the support of the Russian Federation for an increase in human and financial resources for advisory services on the understanding that the effectiveness of such resources was enhanced. Unfortunately, implementation of the relevant programme in the Russian Federation had been stalled for some time owing to the repeated changes of coordinator. Projects tailored to a country's circumstances and requirements were preferable to standard projects, and donors should avoid attaching unduly strict conditions to the use of contributions to the Voluntary Fund. The Centre for Human Rights would benefit from better management, avoidance of duplication and closer cooperation with Member States.

45. Turning to agenda item 9, he said that action to promote and protect human rights in the Asia and the Pacific region had resulted in the creation of national human rights structures and the strengthening of judicial institutions. His delegation supported the recommendations of the third International Workshop on National Institutions for the Promotion and Protection of Human Rights contained in document E/CN.4/1996/8. It urged the Secretary-General and the High Commissioner on Human Rights to adopt a more specific position on the question of participation by such institutions in United Nations meetings on human rights.

46. With regard to unilateral coercive measures, his delegation was convinced that inter-State conflicts should be resolved through constructive dialogue and respect for international law and the Charter of the United Nations.

47. Lastly, he commended the analysis by the Representative of the Secretary-General of the legal norms applicable to internally displaced persons (E/CN.4/1996/52/Add.2).

48. Ms. de MELLO BARRETO (Brazil) said that the Special Rapporteur on violence against women, its causes and consequences had been invited to visit Brazil later in the year. Her delegation fully supported the recommendations contained in his report (E/CN.4/1996/53), particularly for action at the national level. Some of them were already being implemented in Brazil. The Government intended to introduce a bill in the National Congress under which, inter alia, rape would be made a "crime against the human person" with more severe sanctions than in the past. Other measures were designed to increase women's participation in political life and to provide them with integral health care emphasizing reproductive rights. The draft national plan for human rights provided for the involvement of the National Council of Women's Rights in the formulation and monitoring of policies, a national programme to combat violence against women and a shelter programme for victims, and the inclusion of a gender perspective in education.

49. Her delegation supported the Special Rapporteur's views on the integration of women's rights in the mainstream of United Nations human rights activities and commended the steps taken by the High Commissioner and the Centre for Human Rights to have women's rights included among the issues taken up by treaty bodies when they monitored States' compliance with their treaty obligations.

50. Ms. HAMILTON (Australia) said that the establishment of independent national institutions was a particularly effective way for States to promote observance of human rights standards. The Commission should recognize such institutions as a constructive partner and provide for their participation in its proceedings on a separate basis from Governments.

51. Australia strongly supported the work of the Special Rapporteur on violence against women, its causes and consequences and gave high priority to the integration of women's rights throughout the United Nations system. His report (E/CN.4/1996/53) placed the issue of domestic violence firmly within the sphere of human rights and was an important contribution to understanding of the issue.

52. Australia had adopted a Disability Discrimination Act that made it unlawful to discriminate against persons affected or believed to be affected by HIV/AIDS. It was encouraged by the establishment of a human rights programme under UNAIDS.

53. The Decade for Human Rights Education was a timely initiative. National education strategies should take account of local needs and conditions while remaining firmly grounded in international human rights law and practice.

54. Consideration of the issue of sexual orientation was long overdue in the United Nations system and should be placed on the agenda despite the difficulties presented by diverse political, cultural and religious traditions.

55. Mr. ERPEL (Chile) said that advisory services and technical and financial assistance in the field of human rights were among the most constructive forms of international cooperation. But as mentioned in the Secretary-General's report (E/CN.4/1996/90), the funds currently available under the regular budget and the Voluntary Fund fell far short of the amount required to meet the growing demand. A concerted effort by the international community was necessary to remedy the situation. At the same time, the procedure for granting advisory services should made more transparent to prevent abuses.

56. Advisory services in the area of education assumed special relevance in the context of the Decade for Human Rights Education.

57. His delegation understood the concern of certain Governments that were endeavouring to improve the human rights situation in their country to avoid being lumped together with other uncooperative Governments under agenda item 10. However, rather than transferring such cases to item 17 as deserving candidates for advisory services, his delegation proposed the creation of a new item or subitem for the purpose.

58. He stressed that advisory services and technical cooperation were no substitute for monitoring and investigating activities and did not absolve Governments of responsibility for the human rights situation in their country.

59. Mrs. TESFAYE (Ethiopia) said that violence against women was something that occurred in all societies and knew no barriers of income, class or culture. The Declaration on the Elimination of Violence against Women, the Beijing Declaration and Platform for Action and the excellent report by the Special Rapporteur on violence against women, its causes and consequences (E/CN.4/1996/53) provided a solid basis for action to prevent and redress such violence. The Special Rapporteur had presented a clear picture of the problem of domestic violence, which was hard to reconcile with the traditional image of the family as a haven of tranquillity. Despite its universality, there was a conspiracy of silence to conceal the extent of domestic violence, which was a powerful tool of oppression and whose victims were almost invariably women. As a violation of human rights, it was comparable to torture, and a State that failed to prevent and punish domestic violence could be accused of complicity. It was gratifying to note that woman-battering, among other forms of domestic violence, had been treated appropriately in the Special Rapporteur's report, and she also appreciated the useful suggestions for the elimination of violence against women at the national and international levels made in paragraphs 140, 142, 144 and 145, as well as the framework for model legislation contained in the second addendum to the report.

60. Ethiopian women had been subjected to various forms of violence because of customary practices based on tradition and religion and because their low social and economic status rendered them helpless. She described a number of such extremely iniquitous practices and pointed out that while rape and bodily

assault were regarded as criminal offences under the 1957 Ethiopian Penal Code the law governing violence against women was neither comprehensive nor adequate and contained several ambiguities concerning rape and battery.

61. Nevertheless, the situation in Ethiopia was improving. In a significant step forward, the Ethiopian Constitution of 8 December 1995 for the first time included provisions on the protection of the human rights of women and underscored their rights to citizenship, consent to marriage and equal rights before and after marriage. Article 35 specifically referred to a woman's right to protection by the State from harmful customs. Ethiopia had ratified the Convention on the Elimination of All Forms of Discrimination against Women in 1981 and all human rights instruments to which Ethiopia was a party had been incorporated in the country's legislation.

62. General awareness of the causes, consequences and legal implications of violence against women must be achieved and traditional customs challenged. Her Government would have to rely heavily on the support of community organizations, NGOs, grass-roots organizations and the mass media in that task.

63. Mr. WILLIS (Australia) said that his delegation, which believed that any plan to restructure the Centre for Human Rights should not in any way reduce its capacity to deliver effective advisory services and technical cooperation, welcomed the measures taken to strengthen the management of the Voluntary Fund for Technical Cooperation and improve dialogue with donors. His country would provide an additional contribution of $A 80,000 to that Fund.

64. Referring to the promotion of human rights infrastructures in Cambodia, he said that Australia was committed to assisting Cambodia in its efforts to promote and protect the human rights of its people and therefore welcomed the agreement reached between the Government of Cambodia and the High Commissioner for Human Rights on the continued operation, for a further two years, of the Office of the Centre for Human Rights in Phnom Penh.

65. Progress had been made, particularly in the area of human rights education and the creation of a functional system of justice. However, Australia was keenly interested in the effective functioning of multi-party democracy, and was concerned about reports of violence and intimidation directed at minor political parties and their supporters, in violation of the principles set out in annex 5 to the Agreement on a Comprehensive Political Settlement of the Cambodia Conflict signed in Paris on 23 October 1991. The universal application of the rule of law was another area of concern. Australia hoped that Governments would continue to provide political and financial support for the efforts of the Centre for Human Rights in Cambodia and elsewhere.

66. Ms. DION (Canada) noting that the fourth World Conference on Women had highlighted the need to eliminate violence against women and to ensure the full integration of the human rights of women into United Nations human rights mechanisms, welcomed the timely contribution made on the subject by the Special Rapporteur in her report (E/CN.4/1996/53).

67. Her Government agreed that States had a duty to protect the human rights of women and urged members of the Commission to follow up their commitments to ratify all international human rights instruments and withdraw their reservations, to comply with reporting requirements, to ensure the inclusion of gender-specific information pertaining to them, and to ensure that legislation addressed the issue of domestic violence.

68. Canada hoped that action would be taken to ensure that the human rights of women were accorded equal weight and due consideration by the principal human rights mechanisms for which the Commission was responsible. Her Government therefore suggested that the Committee responsible for monitoring compliance with the Convention on the Elimination of All Forms of Discrimination Against Women should be put on the same footing as the other human rights treaty bodies, and that the work begun at the 1996 Commission on the Status of Women to draft an optional protocol to that Convention, as well as the recommendations of the Special Rapporteur, should be strongly supported. It was also vital to ensure the system-wide coordination of efforts to achieve the global objectives relevant to women decided upon at other recent United Nations conferences.

69. NGOs had an important role to play in that respect, for they had led the way in supplying gender-specific information. She also commended to the Commission's attention the report of the expert group meeting held in July 1995 on the development of guidelines for the integration of gender perspectives into human rights activities and programmes.

70. Ms. ESCOBAR (El Salvador) said that the Beijing Declaration and Platform for Action and the Vienna Declaration and Programme of Action were important tools in ensuring the protection of human rights for women and children, which were inalienable, integral and inseparable from universal human rights. As the Special Rapporteur on violence against women had reported, violence was a scourge endured by women the world over, and El Salvador wholeheartedly endorsed her appeal that States should enact legislation to combat such violence. She explained that her country's Legislative Assembly had, in 1995, ratified the Inter-American Convention on the Prevention, Punishment and Eradication of Violence against Women, which took precedence over El Salvador's domestic law. In addition, rehabilitation centres had been established to assist women.

71. El Salvador supported resolution 1995/86 of the Commission on Human Rights and considered that the various steps taken by the United Nations to promote the integration of women into its activities were encouraging.

72. In conclusion, emphasizing the increasing vulnerability of migrant women workers, she drew the Special Rapporteur's attention to their plight and suggested that it would be well if she could look into the problem and include her findings in her next report to the Commission.

73. Mr. HOSKING (Observer for New Zealand), speaking as a New Zealand Human Rights Commissioner, said that national institutions, as valuable repositories of independent information on their country's human rights situation, were uniquely placed to contribute to discussions in the Commission on Human Rights. That fact had been recognized by the 1993 World Conference on Human

Rights which had accorded those institutions the right to participate in deliberations as separate entities with observer status. The New Zealand Human Rights Commission and the New Zealand Government believed that the work of the Commission on Human Rights could be enhanced and facilitated by the adoption of a similar arrangement.

74. The Co-ordinating Committee of National Institutions had met the previous week under the auspices of the Centre for Human Rights and had been pleased to acknowledge the establishment of new national institutions as well as the strengthening of others. All efforts in that direction, coupled with the coordination of the Asia-Pacific regional meeting, scheduled for later in 1996, would serve to widen the network of institutions in the region.

75. The New Zealand Human Rights Commission was committed to the promotion of human rights education and wished to commend the contribution of the Centre for Human Rights in the area of technical cooperation.

76. Mr. AGURTSOU (Belarus) said that, since its inception, the Commission had made a tremendous contribution to the promotion and protection of human rights by providing a unique forum for dialogue between Governments, international organizations and NGOs.

77. However, the Commission had reached a symbolic threshold and was in need of reform, which was all the more timely as the Commission itself approached its fiftieth anniversary and in view of the impending celebration of the fiftieth anniversary of the adoption of the Universal Declaration of Human Rights two years later. Moreover, a number of speakers on agenda item 3 had emphasized the need to restructure the work of the Commission and their appeals for consensus, dialogue, cooperation, greater transparency, the need for broader consultations, the avoidance of politicization and selectivity of issues reflected a prevailing trend in favour of change.

78. New problems were emerging to replace the ideological tension of the cold war. Nevertheless, the Commission's agenda had not changed significantly over the previous 20 years. Did that mean that human rights problems had not changed? Or was the agenda being prepared in too rigid a manner? His delegation believed it would not suffice to regroup items. What was required was the inclusion of new items reflecting the demands of the day and the exclusion of outdated items. His Government would suggest, as a partial solution, resumption of the work of the open-ended working group established under decision 1994/111.

79. It was widely agreed that the protection of human rights was of supreme importance and that the necessary mechanisms should be developed to accomplish that task. Belarus assured the Commission of its unwavering support for the initiative taken by the High Commissioner for Human Rights in reorganizing the Centre for Human Rights so as to best serve the needs of a changing world.

The meeting rose at 9 p.m.